

IN RE: PETITION FOR ZONING VARIANCE
20'E of private rd. (196' length)
NS Cape May Rd. 132' W of River-
neck Rd (1939 Cape May Rd. Lot 8)
15th Election District
5th Councilmanic District
Walter Babikow, et ux,
Legal Owners
John W. Heiser, Jr.,
Contract Purchaser
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 89-387-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1802.3.C.1 to allow a side yard setback of 8' in lieu of the required 10' and to allow a minimum lot width of 50' in lieu of the required 55', as more particularly described in Petitioner's Exhibit 1.

The Petitioner, John W. Heiser, Jr., appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 1939 Cape May Road, (lot #8) consists of .543 acres zoned D.R. 5.5 and is located within the Chesapeake Bay Critical Areas. The property is currently improved with a dwelling from approximately the 1920s. Testimony was provided by the legal owner, Mr. John W. Heiser, Jr., as Mr. and Mrs. Walter Babikow so't lot #8 to Mr. Heiser. There is no additional land from which to obtain an additional 5' wide strip in order to cause lot #8 to be developed in compliance with the D.R. 5.5 regulations. That the structures that now exist on this lot have existed since prior to 1945 and it would be a hardship and practical difficulty to move the structures in order to comply with the 10' side yard setback.

After due consideration of the testimony and evidence presented, in the opinion of the Zoning Commissioner, the relief requested sufficient-ly complies with the requirements of Sections 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. Clearly, the request is not based upon conditions or circumstances which are the result of the Petitioner's actions, nor does the request arise from a condition relating to land or building use, either permitted or nonconforming, on another property. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

- 2 -

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 19th day of April, 1989 that the Petition for Zoning Variance from Section 1802.3.C.1, to allow a side yard setback of 8' in lieu of the required 10' and to allow a minimum lot width of 50' in lieu of the required 55', in accordance with Petitioner's Exhibit 1, be

- 3 -

and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition; and,
- 2) Petitioner shall comply with all requirements of the Zoning Plans Advisory Committee as set forth in their comments submitted hereto, including, but not limited to, the Bureau of Water Quality and Resource Management comments dated February 7, 1989.
- 3) That the variance created herein for the 8' side yard setback in lieu of the required 10' is only for the existing structures and shall not be incorporated into or used for any further development, redevelopment or rehabilitative of the improvements in this lot.

IT IS FURTHER ORDERED that the Petitioner shall comply fully and completely with all requirements and recommendations of the Department of Environmental Protection and Resource Management, as set forth in their comments dated February 16, 1989, attached hereto and made a part hereof.

JRH:mmm
att.
cc: Peoples Counsel

J. Robert Haines
JOHN ROBERT HAINES
Zoning Commissioner
for Baltimore County

- 4 -

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.C.1 To allow a side yard setback of 8' in lieu of the required 10 feet, and to allow a minimum lot width of 50' in lieu of the required 55 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

We have 2 lots under one owner at the present time. Each lot is 50 feet wide because they were subdivided years ago. Current regulations require 55 feet width in order to sell them. We are requesting a 5 foot variance on the width of each lot.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: John W. Heiser Jr.
(Type or Print Name)
Signature: *John W. Heiser Jr.*
Address: 800 Millwood Drive
Baltimore, Md 21047
City and State

Legal Owner(s): Walter Babikow - May Babikow
(Type or Print Name)
Signature: *Walter Babikow*
Address: 7904 Babikow Road
Baltimore, Maryland 21237
City and State

Attorney for Petitioner: *Edna Bolander*
(Type or Print Name)
Signature: *Edna Bolander*
Address: 800 Millwood Drive
Baltimore, Maryland 21237
City and State

Attorney's Telephone No.: 666-2363
Name: John W. Heiser Jr.
Address: 800 Millwood Drive
Baltimore, Maryland 21237
City and State

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Name: John W. Heiser Jr.
Address: 800 Millwood Drive
Baltimore, Maryland 21237
City and State

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Mr. J. Robert Haines
Zoning Commissioner
FROM: Mr. Robert W. Sheesley
SUBJECT: Petition for Zoning Variance - Item #282
Walter and May Babikow - Lot #8 Cape May Point

The subject property is located along Riverneck Road, Lot 8 of Cape May Point. The site is within the Chesapeake Bay Critical Area and is classified as Limited Development Area.

The applicant has requested a zoning variance from Section 1802.3.C.1 "to allow a side yard setback of eight feet in lieu of the required ten feet, and to allow a minimum lot width of 50 feet in lieu of the required 55 feet." Lot #8 consists of .54 acres with an existing single family dwelling and bath house.

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts."

<COMAR 14.15.10.01 O.>

The proposed development will comply with Critical Area Law provided that the zoning petition is conditioned with the following requirements:

1. Two major deciduous trees or four conifer trees shall be planted and maintained on the lot. A combination of these two tree types is acceptable provided that 2,000 square feet of tree cover is provided. A major deciduous tree is estimated to cover 1,000 square feet and a conifer, 500 square feet at maturity.

Memo to Mr. J. Robert Haines
February 16, 1989
Page 2

2. Storm water runoff shall be directed from impervious surfaces associated with this petition to pervious areas to encourage maximum infiltration.
3. Rooftop runoff shall be directed through down-spouts and into a dry well of approved design to encourage maximum infiltration (see attached dry well design).

Upon compliance with the above requirements, this project will be approved. Please contact Mr. David C. Flowers at 897-3980 if you require additional information.

Robert W. Sheesley
Robert W. Sheesley, Director
Department of Environmental Protection
and Resource Management

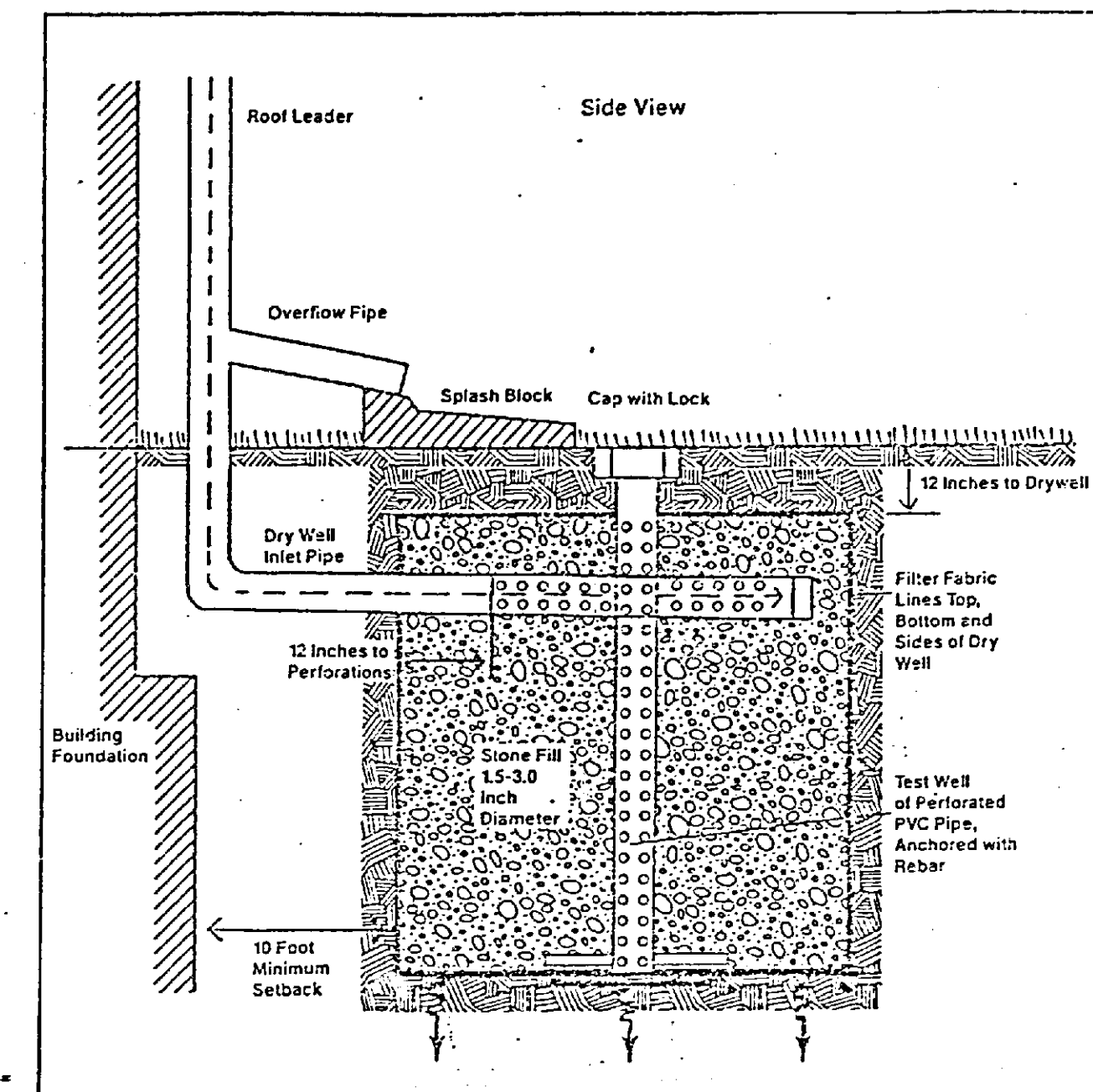
RWS:DCF:tjg

Attachment

cc: The Honorable Ronald B. Hickernell
The Honorable Norman W. Lauenstein
The Honorable Dale T. Volz
Mr. David C. Flowers

DESIGN 4: Dry Well Designs. (Figure 5.8). Dry wells are a basic trench variation which are designed exclusively to accept rooftop runoff from residential or commercial buildings (Figure 5.8). Additional guidance on dry well design is available from Md WRA (1984). Basically, the leader from the roof is extended into an underground trench, which is situated a minimum of ten feet away from the building foundation. Rooftop gutter screens are needed to trap any particles, leaves and other debris, and must be regularly cleared.

Figure 5.8: Dry Well Design (adapted from Md WRA, 1985)



Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

Mr. John W. Heiser, Jr.
800 Millwood Drive
Fallston, Maryland 21047

RE: Petitions for Zoning Variances
Case Nos. 89-387A and 388A

Dear Mr. Heiser:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Zoning Variances have been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
J. Robert Haines
Zoning Commissioner

JRH:mmn
att.
cc: Peoples Counsel

April 18, 1989



MAIFTE & WATTS,
SURVEYORS and ENGINEERS

2923 Chenook Avenue
Baltimore, Maryland 21234
(301) 882-0321

December 15, 1988

DESCRIPTION OF LOT NO. 8, CAPE
MAY POINT, TO ACCOMPANY PETITION
FOR ZONING VARIANCE, 15TH ELECTION
DISTRICT, BALTIMORE COUNTY, MARYLAND.

Beginning for the same on the Southernly side of a 15 foot private right of way for ingress and egress, at a point distant 100 feet, measured Westerly along the South side of said right of way from its intersection with the West side of Riverneck Road, 30 feet wide, said point of intersection being distant 215 feet, measured Northernly along the West side of Riverneck Road from its intersection with the North side of Cape May Road, 30 feet wide, thence leaving said place of beginning and running and binding on the South side of said 15 foot right of way,
1) Westerly 50.00 feet thence leaving said 15 foot right of way and running
2) Northernly for a distance of 484.80 feet to a point in the waters of Middle River, thence running thru the waters of Middle River,
3) Easterly 55.78 feet, thence leaving Middle River and running
4) Southernly for a distance of 461.30 feet to the place of beginning

Containing 0.543 Acres of land ±

This description has been prepared for zoning purposes only and is not intended to be used for conveyance.



282

CRITICAL AREA

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

4 N. Center Place
P.O. Box 8936
Dundalk, Md. 21222

March 9, 1989

THIS IS TO CERTIFY, that the annexed advertisement of J. Robert Haines in the matter of Zoning Hrsgs. Case 89-387-A - P.O. #10478 - Req. #N27060 - 96 lines was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one successive week before the 10th day of March 1989; that is to say, the same was inserted in the issues of March 9, 1989

Kimbel Publication, Inc.
per Publisher.

By K.C. Decker

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15th Date of Posting 3/9/89
Posted for: Walter Babikow, et al
Petitioner: Walter Babikow, et al
Location of property: 20' E of Cape May Rd. & 170' W of Riverneck Rd.
Location of Sign: Along Cape May Rd. across 200' E of Cape May Rd.
Remarks: Signs set by approved for Cape May Rd.
Posted by: [Signature] Date of return: 3/9/89
Number of Signs: 1

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

February 23, 1989

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 89-387-A
20 ft. east of private road (196 ft. length), off NS Cape May Road, 132' W of Riverneck Road (1939 Cape May Road, Lot #8)
15th Election District - 5th Councilmanic
Legal Owner(s): Walter Babikow, et al
Contract Purchaser(s): John W. Heiser, Jr.
HEARING SCHEDULED: WEDNESDAY, MARCH 29, 1989 at 9:00 a.m.

Variance to allow a side yard setback of 8 ft. in lieu of the required 10 ft. and to allow a minimum lot width of 50 ft. in lieu of the required 55 ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Walter Babikow, et al
John W. Heiser, Jr.
File

Robert Haines
Zoning Commissioner

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 10, 1989.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on March 9, 1989.

THE JEFFERSONIAN,
S. Zebe O-Low
Publisher

PO 10477
reg 1-27061
ca 89-387-A
prio \$43.34

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:
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Contract Purchaser(s): John W. Heiser, Jr.
HEARING SCHEDULED: WEDNESDAY, MARCH 29, 1989 at 9:00 a.m.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

Date: 3-27-89

Mr. John W. Heiser, Jr.
800 Millwood Drive
Fallston, Maryland 21047

Re: Petition for Zoning Variance
CASE NUMBER: 89-387-A
20 ft. east of private road (196 ft. length), off NS Cape May Road, 132' W of Riverneck Road (1939 Cape May Road, Lot #8)
15th Election District - 5th Councilmanic
Legal Owner(s): Walter Babikow, et al
Contract Purchaser(s): John W. Heiser, Jr.
HEARING SCHEDULED: WEDNESDAY, MARCH 29, 1989 at 9:00 a.m.

Dear Mr. Heiser:

Please be advised that \$106.34 is due for advertising and posting of prior to the hearing. The fee must be paid prior to the hearing itself.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 067521

DATE 3-27-89 ACCOUNT 89-387-A
AMOUNT \$106.34

RECEIVED BY W. Babikow
FOR Posting & Advertising (89-387-A)

B 8213*****10634** 3254F

VALIDATION OR SIGNATURE OF CASHIER
DATE 3-27-89 PRC AGENCY YELLOW-ORANGE

THIS BILL HAS
ALREADY BEEN
SENT
THIS WAS ONLY
COPY LEFT IN OW

JRH:gs
cc: Walter Babikow, et ux
File

J. Robert Haines
Zoning Commissioner of
Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

Date: 3/13/89

Mr. John W. Heiser, Jr.
800 Millwood Drive
Fallston, Maryland 21047

Re: Petition for Zoning Variance
CASE NUMBER: 89-387-A
20 ft. east of private road (196 ft. length), off NS Cape May Road, 132' W of Riverneck Road (1939 Cape May Road, Lot #8)
15th Election District - 5th Councilmanic
Legal Owner(s): Walter Babikow, et al
Contract Purchaser(s): John W. Heiser, Jr.
HEARING SCHEDULED: WEDNESDAY, MARCH 29, 1989 at 9:00 a.m.

Dear Mr. Heiser:

Please be advised that \$106.34 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED
ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

Please note that should you fail to return the sign and post set(s), there will be an additional \$25.00 added to the above fee for each set not returned.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

JRH:gs
cc: Walter Babikow, et ux
File

35-387-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
25th day of February, 1989.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Petitioner: Walter Babikow, et al
Petitioner's Attorney: _____

Received by: JAMES E. DYER
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 15, 1989

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

MEMBERS

Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. John W. Heiser, Jr.
800 Millwood Drive
Fallston, MD 21047

RE: Item No. 282, Case No. 89-387-A
Petitioner: Walter Babikow, et al
Petition for Zoning Variance

Dear Mr. Heiser:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw
Enclosures
cc: Mr. & Mrs. Babikow

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-3354

March 1, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204

Dennis F. Rasmussen
Dennis F. Rasmussen
County Executive

Dear Mr. Haines,

The Bureau of Traffic Engineering has no comments for items number 264, 277, 278, 280, 281, 282, 283, 284, 286, 287, 288, 292, 293, 294, 295 & 296.

Very truly yours,
Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Assoc. II

MSF/lab

RECEIVED
MAR 3 1989
ZONING OFFICE

Baltimore County
Fire Department
Towson, Maryland 21204-2566
494-4300

February 7, 1989

Paul H. Reincke
Chief

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Dennis F. Rasmussen
Dennis F. Rasmussen
County Executive

Re: Property Owner: John W. Heiser, Jr.
Location: 41939 Cape May Road - Lot #8
Item No.: 282
Zoning Agenda: Meeting of January 24, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

(X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works, Fire Hydrants at 750' Intervals.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.

(X) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. Road to Lots #8 and 9 shall have a minimum width of 16 feet.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Carl J. Kelly* Noted and Approved: *John F. O'Neill*
Planning Group Fire Prevention Bureau
Special Inspection Division

/s/

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines
TO: Zoning Commissioner Date: March 7, 1989

Pat Keller, Deputy Director
FROM: Office of Planning and Zoning

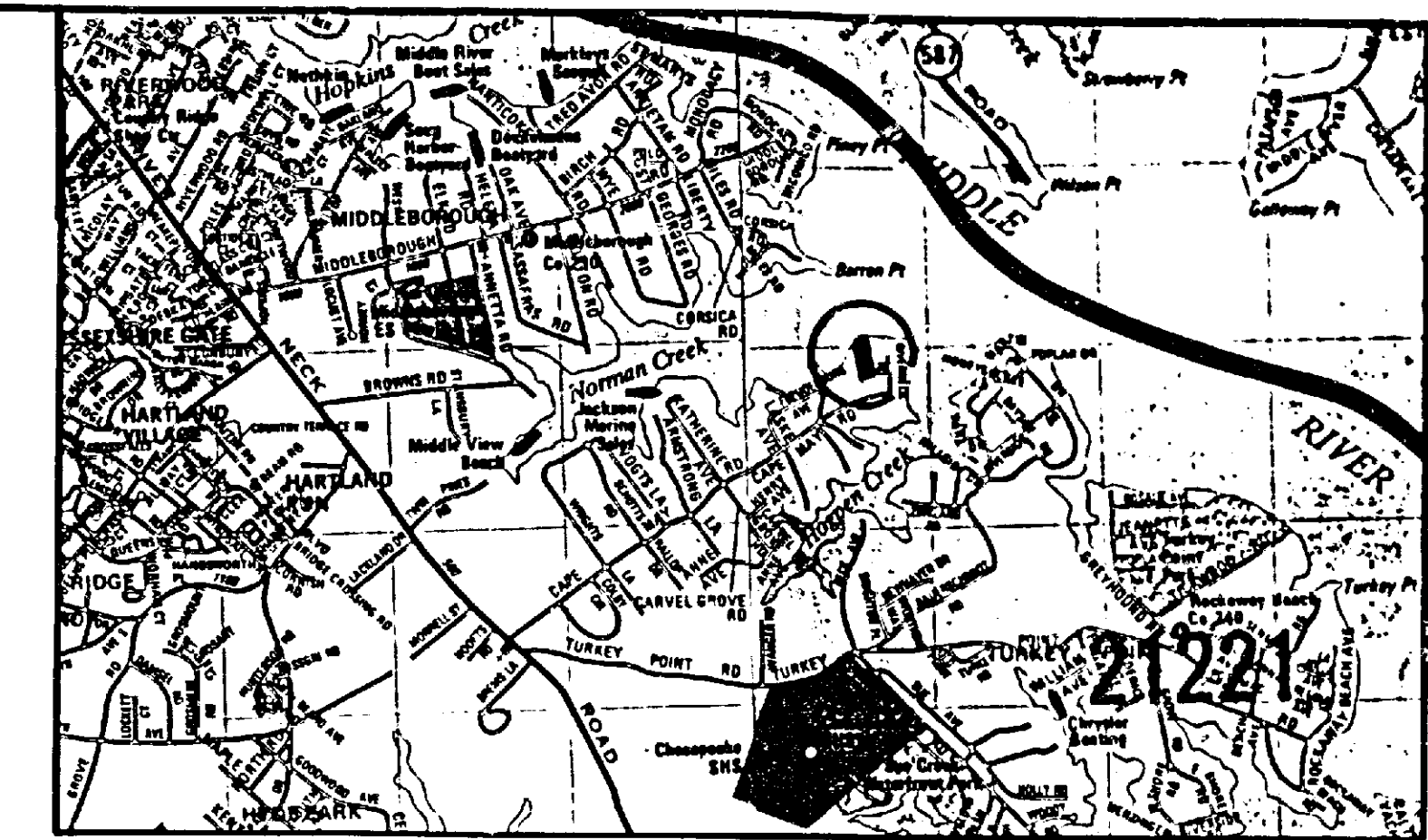
Zoning Petition Nos. 89-308-SH (Jefferson); 89-318-A (Podlee); 89-350-A (Khouzami); 89-354-A (Smith); 89-359-A (Houtner); 89-363-A (Cash);
SUBJECT: 89-364-A (Kaplan); 89-368-A (Appel); 89-369-A (Mathai); 89-375-A (Vinson); 89-376-A (Cambrill); 89-378-A (Lin); 89-379-A (Freundlich); 89-387-A (Babikow) and 89-393-A (Lubman)

The Office of Planning and Zoning has no comment on the above listed petitions.

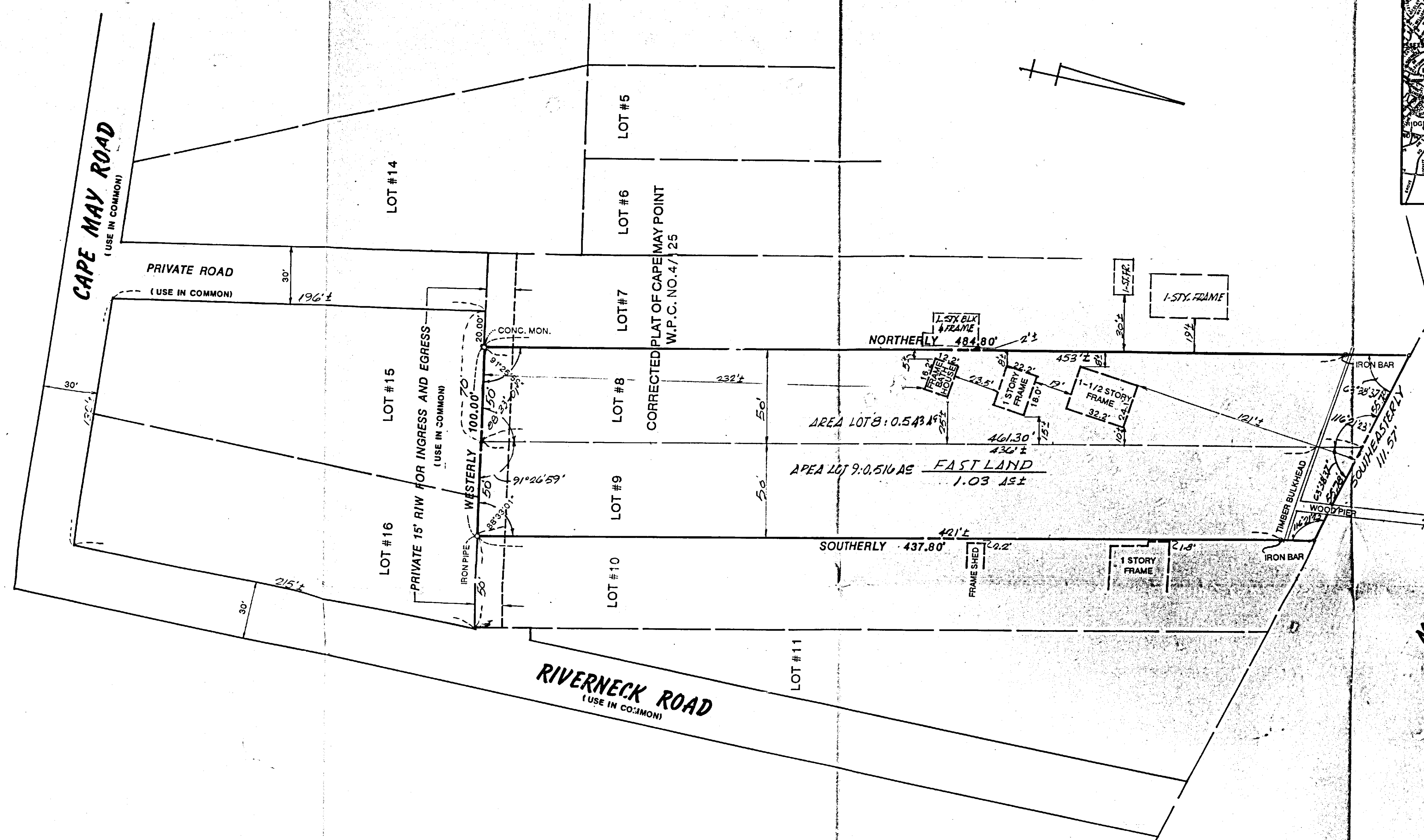
FK/bf

RECEIVED
MAR 9 1989
ZONING OFFICE

CPS-008



VICINITY MAP
SCALE: 1"=2000



NOTES

- 1) ZONED (EXISTING).....D.R. 5.5
- 2) AREA.....1.059
- 3) No. of Lots Allowed.....1.059x5.5=5.8
- 4) PROPOSED ZONING.....D.R. 5.5 WITH VARIANCE TO BCZR SECTION 1.802.3.C.1 TO ALLOW A LOT WIDTH OF 50' IN LIEU OF THE REQUIRED 55'.
- 5) PROPOSED No. Lots.....2
- 6) UTILITIES EXIST IN CAPE MAY ROAD.
- 7) SUBDIVISION: CAPE MAY POINT-LOTS 8 & 9-W.P.C. LIBER 4 FOLIO 125
- 8) PRIOR ZONING: 'A' RESIDENCE-HOUSE BUILT APPROXIMATELY 1910
- 9) 1-STY. FRAME HOUSE ON LOT 8 USED FOR KITCHEN ONLY.

PETITIONER'S
EXHIBIT 1

CRITICAL AREA
282



Drafting	DATE	REVISIONS
Check	12/12/88	HOUSE-LOT 7-NOTBS
Design		
Check		

MAISTE & WATTS, INC.
SURVEYORS & ENGINEERS
2923 CHENOAK AVE. BALTIMORE MARYLAND 21254 (301) 882-0321

TITLE DEED: WALTER W. BABIKOW, ET.AL.
W.J.R. 3876/121

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE FOR LOTS 8 & 9
CAPE MAY POINT
15-TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

SHEET	DATE	JOB
1	NOV. 25, 1988	NUMBER
OF	SCALE	
1	1"=30'	88-203